

PARISH Pinxton

APPLICATION Demolition of public house and erection of 5No. single storey dwellings with garages and private access road
LOCATION Site Of The Greyhound Inn Town Street Pinxton
APPLICANT Mr James Chapman
APPLICATION NO. 15/00220/FUL **FILE NO.** PP-04177798
CASE OFFICER Mr Steve Kimberley
DATE RECEIVED 7th May 2015

Delegated application referred to Committee by: Assistant Director of Planning
REASON: Balanced decision on design matters

SITE

The site is a currently vacant public house which has a car park to the east and a grassed area formerly used as beer garden to the west. At the rear there is an area of overgrown vegetation which has previously been granted planning permission for two dwellings. The public house sits on the site frontage adjacent to a traffic junction. It is a two storey double fronted property with a further extension to the west and others to the rear. The site is generally level though with a slight rise to the west of the public house and to the rear. The car park is composed of tarmac with an existing access off Brookhill Lane. A steel container currently sits on this car park area. Boundary treatments at the front are either a low wall to the car park or a post and rail fence to the beer garden. At the rear the boundaries are generally composed of close boarded fencing between 1.6 and 1.8m in height. The area is characterised by two storey development, though across the road there are two areas of informal open space, one comprising of tarmac and another a small grassed area. Since the time of the last application the site has become more derelict and is now bounded by herras fencing.

PROPOSAL

The proposal is for the demolition of the public house and the erection of five single storey dwellings on the site accessed by a road running along the frontage. The development utilises the existing access into the public house car park from Brookhill Lane.. Plots 1 to 4 are all two bedroom single storey dwellings though designs vary slightly. Plot 5 is a larger three bedroom single storey dwelling with a garage and parking area close to the frontage of the site. Maximum height of any of the dwellings is 5.8m. Each dwelling has at least two parking spaces allocated. Boundary treatments are generally formed by a brick wall with railings above to the the front and 2m high timber fencing to the rear of the site.

CONSULTATIONS

Pinxton Parish Council – agreed to support the application in principle. 20/05/2015

Environmental Health Pollution Control Officer – Previous comments on the same site. Due to the presence of likely made ground recommend a planning condition for any approval which would require a phased contaminated land study. Comments received on the 6th July 2015

Derbyshire County Council highway Authority – Comment that changes to the scheme do not change the stance on the proposal and previous comments still stand. The boundary treatment should not interfere with visibility and note that the layout is not of an adoptable standard. Subject to conditions including visibility splays, site compound, parking in accordance with plans, maintenance of garage spaces and no gates, no objections.
17/06/2015

Urban Design Officer - Comments that in their opinion the application should be withdrawn or refused. The site is strategically positioned in a way that provides an important termination viewpoint from multiple directions. The design response should recognise this and provide a strong and positive building in this location. The scheme is very similar to the previously withdrawn proposal (ref. 14/00563/FUL).

The main amendments include:

1. Bungalow types used on Plots 2 and 4 swapped.
2. Plot 2 roof pitch increased to 40 degrees and height changed from 4.8m to 5.8m (approx).
3. The alignment of the ridgeline for Plots 3 and 4 has been amended to run side to side (previously this was from front to back).
4. Modest front gables introduced on Plots 3 and 4.
5. Details of the boundary treatment along the site frontage are now described, although not shown. This is described as a red brick wall with tile creasing and brick coping laid on edge (650mm), with a powder coated railing above between brick piers (total height 1350mm).
6. The omission of parking spaces close to the proposed site entrance.

These amendments have been undertaken in response to the concerns in respect of the previous submission regarding the design of the development and how it relates to its townscape context. The revisions represent minor adjustments to the proposal. Unfortunately, these do not fundamentally address the issues raised under the last application.

The relationship of the site to the busy road is the main design driver of the proposed layout, and justified on the basis of achieving an acceptable level of amenity for future occupants in terms of noise, vibration, fumes, safety etc. These concerns are recognised and understood. Nevertheless, the resulting proposal, even in its modified form, is considered to result in a harmful impact on the townscape of Pinxton, on what is a prominent location within the settlement. In the current form the development is not considered to satisfy the expected standard of design and does not meet the requirements of design as laid out in the National Planning Policy Framework. 03/07/2015

PUBLICITY

Site notice posted and nine neighbouring properties notified.

One representation received from a neighbour who was consulted by letter and seventeen representations received from others.

All representations were generally in support of the proposal citing the following reasons:

- a) There is a need for bungalows
- b) An eyesore would be removed
- c) Will do away with a blind corner
- d) Prefer bungalows
- e) Bungalows will be in keeping with the area
- f) Will bring an improvement in highway safety

It is noted that five of the representations were forwarded to the council by one of the other supporters.

POLICY

Bolsover District Local Plan (BDLP)

GEN1 (Minimum requirements for Development)

GEN2 (Impact of Development on the Environment)

HOU2 (Location of housing sites)

CLT1 (Protection of existing buildings which serve the community)

National Planning Policy Framework

Chapter 7 Paragraphs 56, 58, 60, 61 and 64.

56. The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

58 Planning policies and decisions should aim to ensure that developments:

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;
- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
- are visually attractive as a result of good architecture and appropriate landscaping.

60. Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.

61. Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.
64. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Other (specify)

National Planning Practice Guidance - Design (ID26)

Interim Supplementary Planning Document: Successful Places A Guide to Sustainable Housing Layout and Design

ASSESSMENT

The main issues for consideration are the principle of development on the site, the impacts on the amenity of neighbours, the impact on the character and appearance of the area and the impact on highway safety.

Principle of development on the site.

It is considered that policies HOU2 (Location of housing sites) and CLT1 (Protection of Existing Buildings which serve the Community) apply to this application. Also the presumption in the NPPF in favour of sustainable housing development where there is not a five year supply of housing applies. The Council does not have a five year supply at present and therefore should seek to grant permission unless material considerations indicate otherwise. This must be given significant weight in the decision on the application.

CLT1 (Protection of Existing Buildings which serve the Community) applies to changes of use or redevelopment of buildings which have functions which serve the community including public houses. The public house ceased trading in 2014 after an earlier period of being vacant. Whilst little demonstrable evidence has been provided to show that the public house in the right hands is no longer a viable business, it is acknowledged that there is alternative public house provision in the settlement of Pinxton (though another public house, The Sun Inn, has also closed). In this case it is felt that the proposal does meet the policy CLT1 (Protection of Existing Buildings which serve the Community) as there is alternative provision in the community.

The proposal is on a small site within the settlement framework. The site is located within an existing residential area in Pinxton with housing on all sides and a bus route nearby. The proposal is considered to represent sustainable development which meets the requirements of the National Planning Policy Framework and Policy HOU2 (Location of Housing Sites) of the Bolsover District Local Plan.

Impact on the amenity of neighbouring properties.

The proposal shows five dwellings set well back from the highway frontage. The dwellings are all single storey and are not considered to impact on the privacy of neighbours. Plots 1 and 5 are the two plots closest to neighbouring properties. Plot 5 is less than 1m from the side

curtilage of 2 Alfreton Road. However this property has no windows on the facing elevation and a 1.7m high close-boarded fence between the two properties. Moreover Plot 5 only has one doorway on this elevation and no windows. Consequently the proposal is not considered to impact on loss of daylight or overlooking in relation to 2 Alfreton Road. Plot 1 of the proposal is closest to the opposite side and 1 Brookhill Lane, separated by access land from plot 1 but does have a side facing principal window. However the facing elevation of plot 1 has a restricted outlook, is only single storey and is over 3.5m from the affected window with an intervening access road. The impact is within guidelines.

For the reasons above the proposal as designed is not considered to have such an impact on the amenity of neighbours as to warrant a refusal and is generally in compliance with policy GEN2 (Impact of Development on the Environment) in this respect.

Impact on the character and appearance of the area.

The application is a resubmission following the withdrawal of an earlier application. That application was withdrawn following advice from the case officer and the Urban Design Officer over concern about the lack of detail of the front boundary treatment and the impact of the proposal on the character and appearance of the area. The previous comments of the Urban Design Officer noted the prominence of the site on key views in the area and noted that the majority of buildings in the area are of a two storey design. The Urban Design Officer felt that the principle of development on site is acceptable the design should retain the existing public house converting it to residential accommodation and locate buildings towards the site frontage and position the access road to the rear.

Following the withdrawal discussions were held with the applicant and agent to find a way forward. The applicant and agent made it clear that they did not consider it economic to retain and refurbish the public house building and that only a front access drive with the properties set back towards the rear would provide an acceptable standard of amenity for future occupiers (moving them away from the traffic and noise associated with the classified highway to the front and the crossroads). The applicant has also made it clear that they would only wish to develop the site with five bungalows as it is this housing type which there is a local demand for. Through the discussions and within the constraints of the applicants requirements changes have been made in order to try to address some of the concerns.

In particular the prominence in the street scene has been increased by means of realignment of pitches, increased height of plot 2 and the introduction of small front gables on plots 3 and 4. The front boundary treatment has also been indicated with a brick wall and railing front boundary and planting behind including the use of specimen trees in order to provide a visual reference within the street scene.

Notwithstanding these amendments they do not go far enough to allay the concerns of the Urban Design Officer. In particular the design of the properties is a relatively standard design and notwithstanding the increase in roof pitch of some properties are generally low pitched modern designs of a type which could be found on any suburban estate. Whilst the materials can be conditioned the application form states clearly that they would be bricks and interlocking roof tiles with ivory UPvc windows, again reflecting standard designs. Moreover the plots are located in a staggered uncoordinated approach which has resulted in a scheme without a cohesive streetscene presence. For example Plot 5 is at a different angle

to the remainder of the plots and the adjacent house and the street and has a detached garage to the front which will be more prominent when viewed from the junction. Whilst it is understood that the staggered nature of the back boundary and the corner position has led to this result it is still felt that the scheme does not make the most of the potential opportunities to improve the streetscene in this key location. In this respect the buildings are considered to relate poorly to one another and to the street, and would have a weak relationship to the streetscene resulting in a scheme that is considered to fail to meet the design policies of the National Planning Policy Framework.

Though the Urban Design Officer has clearly stated that two storey would fit better within the streetscene it is accepted that the constraints would mean that such a scheme would be difficult to achieve. Notwithstanding this it is felt that a stronger single storey design could be achieved within the constraints of the site; perhaps with a form of almshouse style development. Such a scheme could be developed to provide a more cohesive stronger presence in the streetscene providing a strong focal point to this position in the village.

However it is acknowledged that the design impacts need to be weighed with other factors. It is also noted that the public house has not been maintained whilst empty and has already deteriorated to the extent that a number of residents now call it an eyesore and would like it removed. It is also noted that whilst the dominant form of building in this location is two storey dwellings a number of representations have expressed support for single storey development in this area. It is also accepted that a design with housing close to the frontage would have to deal with the issues of traffic noise and pollution increasing costs and possibly adversely affecting the marketability of the properties. The applicant has indicated that they would not proceed with any development on the site frontage.

Overall it is felt that this issue is balanced but whilst the improvements are noted it felt that the matters noted do not outweigh the impacts on the streetscene and that the scheme does not meet the requirements of the National Planning Policy Framework and in particular Para 58 bullet points 2, 4 and 6

It is acknowledged that if the site is not developed at this time there is little doubt that, at least in the short term, the site would deteriorate further. Whilst there are powers to address this they only deal with the cosmetic appearance and the long term solution is to find a productive use for the site.

Impact on highway safety.

The proposal provides for an access road utilising the existing access into the public house car park which then turns and runs parallel to the main road. The Highway Authority has no objections subject to conditions. Notwithstanding this response there are concerns over the highway impacts of the proposal. Whilst it is accepted that the existing access served a public house and that consequently traffic levels may be no greater than that which already existed the access is close to the junction and movements from the dwellings are more likely to be at peak times unlike the public house use.

The layout of the access drive is not ideal and will result in headlights from cars using this drive potentially conflicting with headlights of cars going south along Alfretton Road. Following the withdrawal and subsequent discussions with the applicant details of the boundary treatments have been submitted with this application. This results in a boundary treatment

which is 1.35m in height. This height is higher than the 1m allowed under permitted development rights, and higher than that requested by the Highway authority. However it is felt to be an acceptable compromise between the requirement to shield oncoming headlights and the need to maximise visibility.

If the decision was to approve conditions should be imposed on the materials bricks and style of railings to be used to ensure that the boundary treatment is appropriate in this sensitive location.

Other Matters

The pollution control officer has noted the likelihood of made ground on the site and consequently has asked for a phased contaminated study of the site to be required by condition and before any development other than demolition of the existing buildings takes place. It is noted that the site to the north, known as Holmes Yard, has been subject to a contaminated land study, which showed that that site land required remediation. It is accepted that if the application is to be approved a condition should be imposed requiring such a condition.

Listed Building:	not applicable
Conservation Area:	not applicable
Crime and Disorder:	Development of the site would remove the potential for anti social behaviour on a currently vacant building.
Equalities:	no known issues
Access for Disabled:	no known issues
Trees (Preservation and Planting):	no significant trees on the site.
SSSI Impacts:	not applicable
Biodiversity:	no known issues
Human Rights:	no known issues

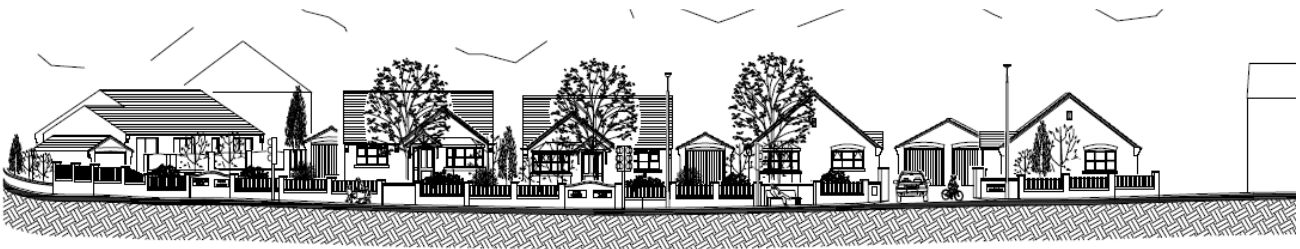
Conclusion

The decision is a balanced one. It is accepted that the design fails to deliver a key building on an important site within the landscape of Pinxton. Whilst the design does allow for beneficial development of a site which is deteriorating in visual amenity terms it does not have a strong presence in the streetscene in this key location. Whilst the design details have been amended in this submission to improve the on-street presence of the proposal to try to mitigate the impacts they do not address the concerns expressed by the Urban Design Officer. Weight has to be given to the need to achieve a five year supply of housing, but the numbers involved are relatively small and are not considered to outweigh the concerns.

On balance it is considered that the officer recommendation is to refuse as the design fails to address adequately, even in its modified form, the design concerns and is considered to result in an inappropriate design response in this prominent location on the townscape of Pinxton. In the current form the development is not considered to satisfy the expected standard of design and does not meet the requirements of design as laid out in the National Planning Policy Framework.

RECOMMENDATION: Refuse for the following reason given in précis form to be formulated in full by the Joint Assistant Director of Planning

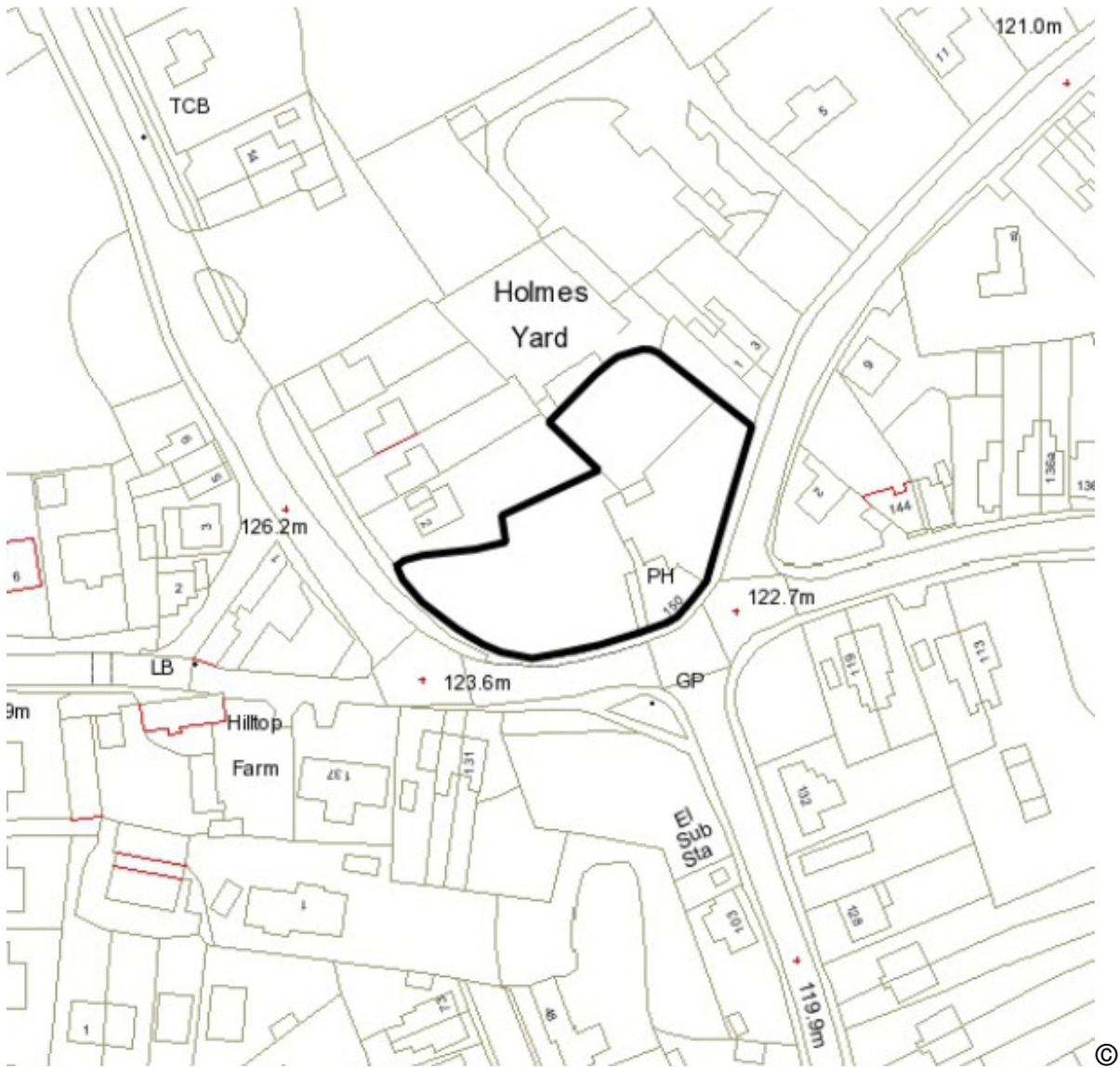
- 1) The design fails to address adequately, even in its modified form, the design concerns and is considered to result in a harmful impact on the townscape of Pinxton, on what is a prominent location within the settlement. In the current form the development is not considered to satisfy the expected standard of design and does not meet the requirements of design as laid out in the National Planning Policy Framework.**



Proposed Street Elevation - Scale 1:200



Application No.: 15/00220/FUL



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